

E-Filed: October 15, 2013

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SILICON VALLEY TELECOM
EXCHANGE, LLC, a California corporation,

No. C12-00899 HRL

Plaintiff,

**INTERIM ORDER ON REQUEST
FOR SANCTIONS**

v.


VERIO INC., a Delaware corporation; NTT
AMERICA, INC., a Delaware corporation;
and DOES 1 through 25,

Defendants.

In July, the Court issued an order granting in part and denying in part defendants' motion for sanctions. The Court invited the defendants to submit a supplemental declaration to break down the amount spent on that portion for which the Court stated it was awarding sanctions, and the defendants did so. However, the parties settled and stipulated to dismissal before the Court ordered an award of sanctions. Defendants contend they are still entitled to an award of sanctions. Plaintiff believes that the issue is moot, or alternatively, it requests an opportunity to respond to defendant's supplemental declaration and that the Court set a date for hearing on this issue.

Plaintiff is given seven days from the date of this order to file a letter brief not to exceed three pages to address why the Court should not award sanctions or to oppose defendant's supplemental declaration. Defendants will have seven days from the filing of plaintiff's letter brief to respond. The Court does not contemplate holding a hearing in this matter.

IT IS SO ORDERED.



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

Dated: October 15, 2013

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